

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Progressive Preferred Insurance Company,

Case No. 15-cv-03272-JRT-JJK

Plaintiff,

v.

Pauline L. Reagor and Rolayne Renstrom,

Defendants.

**NOTICE OF MOTION AND
MOTION TO DISMISS
PLAINTIFF'S DECLARATORY JUDGMENT COMPLAINT**

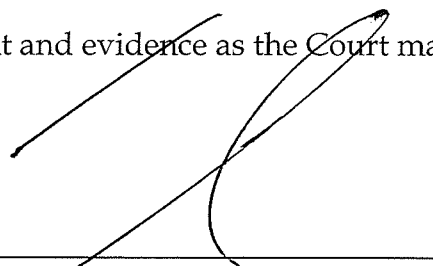
TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on a day and time to be scheduled by the Court, Defendant Rolayne Renstrom ("Renstrom") shall move the Court pursuant to Fed. R. Civ. P. 12(b)(1) and (6) for an order dismissing Plaintiff Progressive Preferred Insurance Company's ("Progressive") declaratory judgment complaint. Renstrom's motion to dismiss is made on the grounds that Progressive's declaratory judgment complaint is duplicative given the ongoing litigation in Wisconsin state court. In addition, Progressive's declaratory judgment complaint does not allege either an actual controversy or an immediate injury and should be dismissed pursuant to 12(b)(6).

This motion is based upon these moving papers, the pleadings on file herein, matters of which the court may take judicial notice, and upon such other

and further oral and documentary argument and evidence as the Court may permit at the hearing of this motion.

Date: November 25, 2015



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